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December 28, 2001

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CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

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Date

Michael C. Barrett
Michael C. Barrett

BOX MISSING PARTS

Commissioner for Patents
Washington, DC 20231

RE: *U.S. Patent Application No. 09/941,165 entitled "PULSED-MULTILINE
EXCITATION FOR COLOR-BLIND FLUORESCENCE DETECTION" - Graham B.I.
Scott et al. (Client reference: OTA 01-72)*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed October 1, 2001;
- (2) Two Declarations;
- (3) Power of Attorney;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (6) Check in the amount of \$1234.00; and
- (7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Commissioner for Patents
December 28, 2001
Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10102817/MCB.

Respectfully submitted,

Michael C. Barrett

Michael C. Barrett
Reg. No. 44,523

MCB/mar

Encl: as noted



#3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Graham B. I. Scott et al.

Serial No.: 09/941,165

Filed: August 28, 2001

For: PULSED-MULTILINE EXCITATION
FOR COLOR-BLIND FLUORESCENCE
DETECTION

Group Art Unit: 2877

Examiner: Unknown

Atty. Dkt. No.: BAYM:002US/MCB

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December 28, 2001
Date

Michael C. Barrett
Michael C. Barrett

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated October 1, 2001, there are enclosed herewith:

- (a) Two Declarations executed on behalf of Graham B. I. Scott, Carter Kittrell, Robert F. Curl and Michael L. Metzker;
- (b) A Power of Attorney on behalf of Rice University;

- (c) Our check in the amount of \$1234.00 to cover the basic filing fee (\$370.00 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$744.00); one month extension of time fee (\$55.00);
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (e) A Request for Extension of Time of one month to and including January 1, 2002. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

Assignments to Rice University and Baylor College of Medicine and checks for \$40.00 each are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10102817/MCB.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Michael C. Barrett

Michael C. Barrett
Reg. No. 44,523
Attorney for Applicants

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Date: December 28, 2001

#3

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/941,165	08/28/2001	Graham B. I. Scott	BAYM:002US 10102817

CONFIRMATION NO. 4645

FORMALITIES LETTER



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Date Mailed: 10/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$736.
 - \$576 for 64 total claims over 20.
 - \$160 for 4 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1156.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE